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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/635,736	08/09/2000	Nizar Allibhoy	22925-701-7-US	5910

7590 10/18/2007
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EXAMINER

NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
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2143

MAIL DATE	DELIVERY MODE
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10/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/635,736

Applicant(s)

ALLIBHOY ET AL.

Examiner

Phuoc H. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 18-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the Appeal Brief filed on July 6, 2007, PROSECUTION IS HEREBY REOPENED. New office action is set forth below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7, and 10-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Park et al. (Hereafter, Park) U.S. Patent 6,460,180.

Regarding claims 1 and 10, Park Figures 8 and 10 discloses a method of enhancing the ability of a user to interact with a plurality of content providers coupled to a network, the plurality of content providers offering a plurality of enhanced content programming via the network, wherein said user interacts with the plurality of content providers via a receiver coupled to the network, the method comprising the steps of: receiving a trigger filter from the receiver (e.g. col. 2 lines 27-33), storing said trigger filter in a data base (e.g. receiver storage for storing the trigger filter; figure 9); detecting a trigger embedded in one of said plurality of enhanced content programming (e.g. col. 7 lines 57-60), wherein said trigger indicates the presence of said enhanced content programming and comparing said detected triggers with said trigger filter (e.g.

Figure 11; col. 8 lines 30-52); identifying said enhanced content programming when said detected trigger filter in said comparison step and coupling said enhanced content programming to the receiver (e.g. Figure 8; col. 5 2nd paragraph; and col. 6 1st paragraph).

Regarding claims 2 and 17, Park further discloses trigger filter is based on information type (e.g. Figures, 7; col. 4 3rd paragraph).

Regarding claims 3-5 and 11-12, Park further discloses transmitting a notification indicator each occurrence in which said detected trigger embedded in said of enhanced content programming conforms to said trigger filter, and wherein the notification indicator is an audible signal, and on-screen graphic (e.g. col. 4 3rd paragraph).

Regarding claims 6, 13, and 15, Park further discloses selecting said notification indicator, said selecting step performed by the receiver (e.g. col. 4 3rd paragraph).

Regarding claim 7, Park further discloses coupling step further comprising the steps of overriding current receiver programming and directing said enhanced content programming to the receiver immediately upon detection (e.g. auto trigger, col. 4 3rd paragraph).

Regarding claim 14, Park further discloses the step of receiving said trigger identifiers from a network operator (e.g. service company, col. 2 lines 33-43).

Regarding claim 16, Park further discloses trigger identifiers correspond to the plurality of content providers (e.g. broadcasters, col. 2 lines 33-43).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Park in view of Leftwich U.S. Pub. No. 2005/0138657.

Re claim 8, Park discloses a method for receiving the trigger filter and identifying enhanced content programming when detected trigger filter in comparison step and coupling enhanced content programming to the receiver; however, Park fails to teach a set of priorities corresponding to each trigger filters in a set of trigger filters.

Leftwich teaches a method for prioritizing the filters (e.g. pages 2-3, paragraph 0041).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Leftwich's technique of prioritizing the filter into Park's triggering filter which provide an effective or efficient way for a viewer in making scheduling decisions.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Park in view of Swix et al. U.S. Pub. No. 2005/0283792.

Re claim 9, Park discloses a method for receiving the trigger filter and identifying enhanced content programming when detected trigger filter in comparison step and coupling enhanced content programming to the receiver; however, Park fail to teach a monitoring each of a plurality of user transactions between the receiver and the plurality of content providers, extracting transaction information from at least a portion of said plurality of user transactions, storing said extracted transaction information in a data base controlled by a third party, and

forming said set of trigger filters based on a combination of at least a portion of said extracted transaction information

Swix teaches monitoring each of a plurality of user transactions between the receiver and the plurality of content providers, extracting transaction information from at least a portion of said plurality of user transactions, storing said extracted transaction information in a data base controlled by a third party, and forming said set of trigger filters based on a combination of at least a portion of said extracted transaction information (e.g. figure 2; page 5 paragraphs 0056 and 0061).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Swix's teaching into Park's method to form a filters based upon the user transactions between the receiver and content providers in order to create content related to subscriber content access patterns and associated behaviors.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919. The examiner can normally be reached on Monday - Friday.

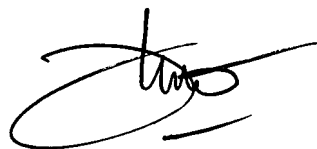
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phuoc H Nguyen
Examiner
Art Unit 2143

October 15, 2007

A handwritten signature in black ink, appearing to be 'Phuoc H Nguyen', written over the printed name and title.